

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER**

UNITED STATES OF AMERICA)	
)	Case No. 4:19-cr-18-1
v.)	
)	Judge Travis R. McDonough
)	
DEARICK VINCENT GARNER)	Magistrate Judge Christopher H. Steger
)	

ORDER

United States Magistrate Christopher H. Steger filed a report and recommendation recommending that the Court: (1) grant Defendant's motion to withdraw his not-guilty plea to Count One of the six-count Indictment; (2) accept Defendant's guilty plea to Count One of the six-count Indictment; (3) adjudicate Defendant guilty of conspiracy to knowingly and intentionally distribute 5 grams or more of methamphetamine (actual) in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B), and 846; and (4) order that Defendant remain in custody until sentencing in this matter or further order of this Court. (Doc. 34.) Neither party filed a timely objection to the report and recommendation.

After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 34) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not-guilty plea to Count One of the six-count Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count One of the six-count Indictment is **ACCEPTED**;

3. Defendant is hereby **ADJUDGED** guilty of conspiracy to knowingly and intentionally distribute 5 grams or more of methamphetamine (actual) in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(B), and 846; and
4. Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place before the undersigned on **December 6, 2019, at 9:00 a.m.**

SO ORDERED.

/s/Travis R. McDonough

**TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE**